

From: [Martha Silver](#)
To: [Martha Silver](#)
Subject: RE: RESPONSE REQUIRED (ASAP): Packet Materials for the Cancelled November 2023 Policy Advisory Council Meetings (925)
Date: Monday, December 11, 2023 2:56:17 PM

From: Gabriel Borden
Sent: Monday, November 27, 2023 4:15 PM
To: Martha Silver <MSilver@bayareametro.gov>
Cc: Ky-Nam Miller <kmiller@bayareametro.gov>
Subject: Re: Packet Materials for the Cancelled November 2023 Policy Advisory Council Meetings (925)

External Email

Hi Martha & Ky-Nam,

Please see my comments below:

Item 3a

- Expenditure Priority Categories: Within each category, in addition to equity and climate being prioritized, can Staff also consider prioritizing projects based on cost effectiveness, neglectedness (areas where there is high impact yet typically underfunded), efficiency (tying to as many PBA(+) goals and locality goals as possible), and ability for localities to provide match/leveraging funds?
 - - If we must go with a more regressive tax scheme, such as a Sales Tax, for the revenue measure, then prioritizing Equity Priority Communities could be a way to mitigate the regressiveness of the tax. If that is the case, that could be noted in rebuttals to the revenue measure naysayers.
 - Will a guiding principle be for funds to be geologically distributed an equal or representative manner?
 - If priority will be given to GHG reducing or neutral projects, then GHG reducing should be prioritized over GHG neutral.
- "Whether the regional measure should aim to fully close this gap is a key policy question that will need to be explored by MTC, Bay Area legislators, operators and other stakeholders over the coming months." Policy research/polling should conduct sensitivity analysis with voters to determine if voters care, in any significant way, whether the revenue measure fully or partially closes the gap.
- "Staff are recommending the new "Connectivity" funding category that could fund an array of multimodal projects that advance Plan Bay Area 2050 and align with the proposed guiding principles" Is this not simply rebranding a 'priority project' category to a 'connectivity' category? It seems to me that priority projects could just as well end up in this category just as they would if there was a 'priority project' category.

- Construction activities are an eligible spending category for multiple expenditure priority categories. How is Staff ensuring that MTC is doing whatever it can within its power to contain future costs or to mandate that evidence-backed & data-driven efforts be made to reduce construction costs. It seems that unless MTC tries to do its part in addressing macroeconomic factors affecting construction, then costs will continue to skyrocket and less projects will actualize, as we've seen in housing, SJ BART extension, and high speed rail projects.
- "Another option some advocates have raised is for the enabling legislation to authorize, in addition to MTC placing a measure on the ballot, the option for the measure to be placed upon the ballot via a signature gathering initiative, which courts have held require a simple majority." Will Staff be reporting on the viability of this option and whether it is recommended?
- Potential Revenue Options: In order to come to a data-driven recommendation, I would recommend Staff furnish a history of Sales/Payroll/etc Tax increases for the Bay Area for the past 50 years. I think the polling data will also be informative, as well as the results of 2024 ballot measures. I am worried about tax fatigue among voters. A layman's perspective might conclude that a tax cut somewhere, or an accompanying dividend, may help so that voters feel like they're getting a win, rather than another hack at the wallet. With that said, if MTC can't make a tax cut or dividend happen, then the Staff Policy team may want to see what other local, regional, and federal ballot efforts there are that may ease financial burden, at least psychologically, on voters (ie; local/state UBI efforts, child tax credit, free healthcare/childcare/tuition, negative income tax, areas where there is bureaucratic bloat that needs cutting).
- Transit Transformation Expenditure Priority Category: Any efforts to improve transit safety should be backed by evidence and/or requested by transit users.
- Safe Streets:
 - When people say they want safe streets, they may also be referring to feeling unsafe due to individuals on the streets who may have mental health or substance abuse concerns. If that is the case, then none of the current eligible measures would assist with this. Staff should consider emergency response for mental health & substance abuse as an eligible expenditure, or street ambassadors who walk neighborhoods and provide resources to unsheltered individuals.
 - Another creative way of addressing safety on streets would be to make temporary housing via modular buildings/tiny homes on MTC or transit operator land an eligible expenditure category, maybe prioritizing housing individuals with a mental health or substance abuse condition.
 - Has MTC ever considered travelators (as you see at the airport, but on public outdoor sidewalks) as done in City's such as Bilbao, Spain (see example posted on Reddit [here](#))? This could be an eligible expenditure for areas that have a combination of gradient (incline/decline) sidewalks, housing facilities for seniors or individuals with disabilities, and commercial corridors.
 - "Priority could be given toward road improvements or street redesigns located within an Equity Priority Community, contingent upon a robust community engagement process to engage local residents." Does this have to be done by MTC, or can it piggyback on recent engagement already done by MTC or the locality?

- Climate Resilience: Pg. 17 of this section only refers to sea level rise and associated eligible expenditures, yet pg. 25 refers to wildfire, flood, and earthquake risk. Is this a discrepancy?
- Connectivity: Staff report refers to rail extensions, interchange modernizations, and new ferry terminals as eligible expenditures... couldn't those also be defined as items that sustain and/or expand transit service under the Transit Transformation category?
- Adaptability as a Guiding Principle: This seems necessary, but also seems vulnerable to attack from those opposed to the revenue measure because adaptability could be interpreted as 'slush-fund'y, for lack of a better phrase. Just something to be aware of.
- Pg.27, "Geographic Area of Tax: Authorize MTC to place on ballot within the nine counties or a subset (no fewer than five counties)." What is the thought behind it being a subset vs. all nine counties?

Item 3b

- Pg. 54, Bridge Tolls that are used for Operations are being tapped into to for the "Regional Contribution to Help Address [the operations funding] Gap". I'm not following. The bridge tolls are already being used to cover Operations, yet we're taking away bridge tolls to fill a Operations funding gap? Can you help explain how that is not contradictory? I must be missing something.

Thank you!

Response

From: Theresa Romell TRomell@bayareametro.gov

Sent: Thursday, December 7, 2023 3:49 PM

To: Martha Silver MSilver@bayareametro.gov; Rebecca Long rlong@bayareametro.gov; Dave Vautin DVautin@bayareametro.gov; Shruti Hari shari@bayareametro.gov

Cc: Kÿ-Nam Miller kmiller@bayareametro.gov; Sonia Draves sdraves@bayareametro.gov; Alix Bockelman ABockelman@bayareametro.gov; Matt Maloney mmaloney@bayareametro.gov

Subject: RE: RESPONSE REQUIRED (ASAP): Packet Materials for the Cancelled November 2023 Policy Advisory Council Meetings (925)

Hi Martha,

Here's a response to the question pertaining to 3b:

There are bridge toll funds that would have been used for transit operations but since RM3 was under litigation, those funds were escrowed for several years, thereby creating a small pool of funds that can now be directed towards bus operators with funding shortfalls. They are not being taken away from anyone and no operator had budgeted for those funds.

Theresa